

comprising lipoic acid or a derivative thereof, and creatine or a derivative thereof, classified in class 424, subclass 757”; and

Group III: claim 27, which is drawn to “a method for enhancing an athlete’s (sic) muscle size or strength comprising administering a supplement comprising lipoic acid or a derivative thereof, and creatine or a derivative thereof, classified in class 424, subclass 757.” *See* official action at page 2.

The applicants respectfully traverse the requirement.

The applicants submit that the searches for Groups I, II, and III are largely co-extensive. In support of this assertion, the applicants submit that each of Groups I, II, and III are classified in the same class (class 424) and the same subclass (subclass 757). Accordingly, search and examination of all claims can be made without serious burden. Therefore, the requirement is improper. *See* M.P.E.P. §803.

The applicants hereby provisionally elect Group I (claims 11-24) for continued prosecution in this application, with traverse.

### **CONCLUSION**

Should the examiner wish to discuss the foregoing, or any matter of form or procedure in an effort to advance this application to allowance, she is respectfully invited to contact the undersigned attorney at the indicated telephone number.

Dated: August 14, 2007

Respectfully submitted,

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